

**SOUTH STAFFORDSHIRE LOCAL PLAN  
PUBLICATION PLAN NOVEMBER 2022  
REGULATION 19 CONSULTATION**

**LAND NORTH OF BLACKHALVE LANE,  
WOLVERHAMPTON**

**REPRESENTATION PREPARED ON BEHALF OF TAYLOR WIMPEY UK LTD**

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## Document Management.

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# Contents.

|  |    |
|--|----|
| 1. Introduction.....                                 | 1  |
| 2. Planning Policy Context.....                      | 3  |
| 3. Vision, Strategic Objectives and Priorities ..... | 5  |
| 4. Development Strategy .....                        | 6  |
| 5. Site Allocations .....                            | 13 |
| 6. Development Management Policies.....              | 15 |
| 7. Sustainability Appraisal .....                    | 29 |
| 8. Land North of Blackhalve Lane .....               | 36 |
| 9. Conclusion.....                                   | 41 |

## Appendix

Appendix 1- Site Location Plan



# 1. Introduction

- 1.1. This representation responds to the South Staffordshire District Council's ('SSDC') Local Plan Review 'Publication Plan' ('the Plan') consultation held under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Representations are made with regard to the Plan itself and to the accompanying published evidence, having regard to the National Planning Policy Framework ('NPPF').
- 1.2. This representation is made by Pegasus Group on behalf of Taylor Wimpey UK Ltd ('Taylor Wimpey') in respect of their land interest in land north of Blackhalve Lane, Wolverhampton. This is identified in the Strategic Housing and Economic Land Assessment (SHELAA) as site 486 b.
- 1.3. Taylor Wimpey has previously submitted details of the Site within through the Regulation 18 Preferred Options Plan. The previous representation Blackhalve Lane were included within the Linthouse Lane representation.
- 1.4. This representation should be read alongside other representations submitted by Taylor Wimpey in respect of other interests, including Land North of Linthouse Lane.
- 1.5. The site extends to approximately 21.33 hectares and is within a highly sustainable location adjacent to the City of Wolverhampton. The site adjoins the Falling Park Allocation in the Wolverhampton Plan. The Site would function as a natural sustainable, urban extension to Wolverhampton. There are no significant physical barriers to development.
- 1.6. The representations are framed in the context of the requirements of the Local Plan to be legally compliant and sound. The tests of soundness are set out in the NPPF, paragraph 35. For a Plan to be sound it must be:
  - a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;



- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.7. The representations also address the legal and procedural requirements associated with the plan-making process.

## 2. Planning Policy Context

- 2.1. Taylor Wimpey supports SSSDC's review of the adopted South Staffordshire District Development Plan as required by Policy SAD1 of the Site Allocations Document ('SAD') 2018. This provides the opportunity for the Council to comprehensively review the Vision, Strategic Objectives, development requirements, spatial development strategy and policies shaping detailed development proposals.
- 2.2. The Plan review also provides the opportunity for the Council to not only review its own objectively assessed housing need, but also the role of the District in meeting unmet cross boundary needs from the wider Greater Birmingham and Black Country Housing Market Area ('GBBCHMA').

### **National Requirements for Plan-Making**

- 2.3. The existing Core Strategy for South Staffordshire was adopted in 2012, and as such a holistic review of the Plan is overdue and a review was committed to within the Site Allocations Document 2018. This Local Plan Review will therefore ensure that an up-to-date Local Plan for South Staffordshire will be in place to support growth and meet future development needs.
- 2.4. Further, the commitment in the emerging Plan to undertake a review at least once every five years, is in accordance with NPPF para 33, which requires local planning authorities to keep policies in their Local Plans up to date by undertaking such a review.
- 2.5. The Proposed Publication Plan consultation follows previous consultations on the Local Plan 'Preferred Options' review which identified a spatial strategy with the identification of housing and employment delivery, whilst also identifying strategic objectives and priorities through numerous policies. The current consultation document represents SSSDC's final version of the Plan and is in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), having considered representations previously made to the Plan, as well as further evidence.
- 2.6. NPPF para 24 also confirms that local planning authorities '*...are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross*



*administrative boundaries.*<sup>1</sup> In the context of South Staffordshire, strategic matters include housing, employment, infrastructure, and the Green Belt.

- 2.7. Taylor Wimpey supports SSSC's proactive approach in continuing with a review of the Local Plan, to ensure that an up-to-date policy framework exists with the District to guide growth to 2039 and to ensure that development is genuinely plan-led but would like to make some representations on the soundness of some parts of the Plan.

### **3. Vision, Strategic Objectives and Priorities**

- 3.1. The Publication Plan (Regulation 19) identifies a number of 'Issues and Challenges' surrounding homes and communities, economic prosperity and the natural and built environment. The Document goes on to present a 'Vision' based upon these issues and challenges, and a number of 'Strategic Objectives' by which the Vision can be achieved.
- 3.2. It is noted that the Vision remains broadly the same as that presented in the adopted Core Strategy with regard to the aspirations to protect and enhance the Districts rural character, communities, and landscape. It is considered that on this element it remains relevant and is broadly supported.
- 3.3. The Local Plan Review Vision does not include, however, the Council's declared climate emergency (declared in 2019), with greater emphasis placed on providing homes which accord with NPPF para 8c which sets out that in order to achieve sustainable development, proposals should mitigate and adapt to climate change. It also seeks to 'protect and enhance' the District as it currently exists, rather than thinking forward and considering how growth could actually better the District as a whole. The Vision should be appropriately reworded to include South Staffordshire's declared climate emergency.
- 3.4. In addition, the Plan's objectives should be amended to reflect the need to meet both the present and future housing requirements, including those pressures arising through the Duty to Cooperate with neighbouring authorities. In this instance the well-known unmet housing needs of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) should be clearly considered. This is considered further, later in these representations.
- 3.5. In relation to Strategic Objective 2, reference is made to meeting the housing and employment needs of the District. It is considered this could be strengthened to refer to meeting the needs of both existing and new residents of the District, but the overarching thrust that new housing should be focussed on sustainable locations in the District and the edge of conurbation of the Black Country, is supported.

## 4. Development Strategy

### Green Belt – Policies DS1 and DS2

- 4.1. Draft Policy DS1 is broadly in line with the relevant paragraphs of the NPPF relating to development within the Green Belt and is therefore supported. However, it should be noted that Taylor Wimpey do not accept the Council's proposition that the Green Belt 'contributes towards rural character'. Green Belt is a development restraint policy set out at Chapter 13 of the NPPF and is not a landscape or character policy. The NPPF outlines "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence". Therefore, the Council should amend the text within Policy DS1 and its supporting text to represent national policy.
- 4.2. The 2018 Greater Birmingham and Black Country Housing Market Area (GBBCHMA) Strategic Growth Study presented a strategic review of the Green Belt across the 'joint authorities' area. This review was undertaken in the light of the shortfall in housing need identified across the area. It was acknowledged that as a significant proportion of land within the Housing Market Area is covered by Green Belt, 'exceptional circumstances' through Local Plan reviews would be required to alter the Green Belt boundaries.
- 4.3. The supporting text to Policy DS1 identifies that exceptional circumstances exist for Green Belt release within the South Staffordshire District. This is supported, as is the Council's commitment to release some land from the Green Belt for development to meet identified need.
- 4.4. However, to be sound, and accord with national policy the Plan must include a consideration of Green Belt boundaries that will endure beyond the end of the Plan period in 2039. Para 140 of the NPPF states that "strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the Plan period."
- 4.5. The Plan should therefore identify opportunities for safeguarded land so that anticipated housing and development needs beyond 2039 are considered as part of the current Local Plan Review and, in particular, are done so in the context of the current reconsideration of

Green Belt boundaries. Safeguarding of land will ensure such needs can be addressed without the need to undertake a further Green Belt boundary review, ensuring the amended boundaries endure beyond the Plan period.

- 4.6. The currently adopted Local Plan at Policy GB2 sets out safeguarded land for the longer term needs of the District. Taylor Wimpey believes the proposed Local Plan would highly benefit from an introduction of a similar policy within the emerging Local Plan, especially in light of the recent collapse of the Black Country Plan which has led to greater instability of housing supply across the GBBCHMA. The introduction of safeguarded land, such as this Site to the north of Blackhalve Lane, which lies adjacent to the Land North of Linthouse Lane allocation, would allow the Council to assess sites suitable for development and fully maximise the District's capability to greater assist the GBBCHMA growing unmet housing need. A new long term Green Belt boundary would be formed utilising the line of the disused railway. This is discussed in further detail in Part 8 of these representations.
- 4.7. Relevant Green Belt boundary amendments, including the identification of safeguarded land as described above and in Part 8 of these representations, should therefore be considered in the current Local Plan review.
- 4.8. Policy DS2 (Green Belt Compensatory Improvements) is a new policy included within the Regulation 19 Publication Plan. The Policy provides additional detail on expected compensatory improvements for Green Belt released sites when compared to the Preferred Options Document. Taylor Wimpey supports the inclusion of a policy setting out the need for Green Belt compensation in relation to sites being removed from the Green Belt. However, the policy still leaves elements of ambiguity and its practical application unclear. Whilst it is appreciated that the SSDC have outlined that 'applicants must demonstrate proportionate compensatory improvements', this does not provide a clear requirement for Green Belt compensation and a revised policy approach is preferred as outlined below.
- 4.9. Policy DS2 also sets out the following hierarchy for Green Belt compensation.
- a) *Compensatory improvements to remaining Green Belt land adjacent to, or in close proximity to the development site;*
  - b) *Compensatory improvements to remaining Green Belt land within the wider locality accommodating the development;*

- c) *Compensatory improvements to remaining Green Belt land in an area identified through the council's latest Nature Recovery Network mapping or Open Space Strategy.*

*In the event that it is robustly demonstrated that none of the above options can be satisfied (e.g., as land is demonstrably not available) then the council will accept a commuted sum that it will use to undertake compensatory improvements.*

- 4.10. The hierarchical approach to the Green Belt compensation policy as drafted is not supported. Neither the NPPF nor the PPG refer to a hierarchy of preferred methods of Green Belt compensation. Furthermore, when assessing the policy, it is not at all clear that the preferred methods of Green Belt compensation would deliver a greater benefit than the approaches lower down the hierarchy.

#### **Housing- Policy DS4**

- 4.11. Taylor Wimpey broadly supports limb a of Policy DS4 which sets a housing target of 9,089 homes over the Plan period whilst providing approximately 13% additional homes to ensure plan flexibility. Upon review of the Local Plan evidence base, it is unclear how the Council have concluded that the housing target includes 13% additional homes. This figure is not evidenced in the Evidence Base and Taylor Wimpey requests the Council provide clarification on this figure.
- 4.12. The principle of the proposed 4,000 houses to support the GBBCHMA shortfall is broadly supported by Taylor Wimpey. However, the GBBCHMA Housing Need and Housing Land Supply Position Statement (July 2020) identified the housing shortfall of the GBBCHMA as 67,160 dwellings. Further, the 'Mind the Gap' Barton Willmore Paper dated March 2021 and 'Falling Short – Taking Stock of Unmet Needs across GBBCHMA' paper by Turley in August 2021, both commissioned by HBF Members concluded that the significant unmet needs in the GBBCHMA exist now and will continue to exist in the future. Most recently, the now collapsed Draft Black Country Plan 2018–2039, showed a shortfall of circa 28,000 homes in the Black Country alone and Birmingham City Council have recently suggested a potential shortfall of over 78,000 dwellings in their Development Plan review Issues and Options consultation.

- 4.13. It is important to stress that the shortfall figures in the GBBCHMA July 2020 paper did not take into consideration the 35% uplift applied to Birmingham or Wolverhampton that were subsequently introduced. The latest Black Country Plan and Birmingham Issues and Options figures therefore show the true extent of the shortfall, which is higher than that which South Staffordshire have taken into account in preparing their Plan. As set out in the HBF representations to the Publication Plan, the Council should confirm that they could proportionately increase their contribution to unmet need based on the latest figures. The Council's commitment to meeting that unmet need should be set out in a Joint Statement of Common Ground with the other GBBCHMA authorities.
- 4.14. As a result of the overwhelming shortfall in both the Black Country and Birmingham and despite South Staffordshire allocating 4,000 homes, Taylor Wimpey considers that there is scope for an uplift to this figure.
- 4.15. In regard to SSDC own housing needs allocation (5,330 dwellings across the plan period), the Council have allocated the minimum figure of housing required by the Standard methodology and as such, Taylor Wimpey raises concerns regarding potential insufficient housing to meet the District's housing needs.
- 4.16. The starting point for the identification of housing requirements is the 2014-based sub-national household forecasts as set out in National Planning Policy Guidance ('PPG') and the utilisation of the standard method of calculation. PPG is also clear that the figure produced by the Standard Method represents a *minimum* figure, rather than a *requirement*.
- 4.17. PPG provides a non-exhaustive list of examples whereby additional growth beyond the minimum requirement may be appropriate, including relevant growth strategies for the area, strategic infrastructure improvements or accommodating unmet need from neighbouring authorities.
- 4.18. As part of the Publication Plan, the 2021 Strategic Housing Market Assessment (SHMA) was updated, with the South Staffordshire Housing Market Assessment Update published in October 2022. The 2022 SHMA presents further depth of analysis compared to the 2021 assessment and supersedes the 2021 SHMA.
- 4.19. The updated Housing Market assessment at paragraph 4.17 indicates the revised standard method in 2022 is 241 dwellings per year resulting in a minimum of 5,330 new additional

homes to be planned for in South Staffordshire to cover the local need across the Plan period 2018–2039. The assessment considers the proposed target of 9,089 homes (5,089 local need and 4,000 home contribution to meet the unmet GBBCHMA need) to be greater than the need for the District as a result of the 2021 Census data which indicated the growth within South Staffordshire to be lower than predicted in 2020.

4.20. However, there are a number of potential flaws in the 2021 Census figures, which took place during the Covid-19 pandemic. In a Paper commissioned by the Land Promoters Development Forum in October 2022, Quod<sup>1</sup> advised that the 2021 Census figures should be considered with caution. Reasons for such caution are identified in the Paper as:

- Internal Migration – many people spent lockdown somewhere different, for example leaving town to stay with parents whilst working remotely. While the Census record ‘usual residents’ this is open to definition and interpretation by people themselves and for many temporary arrangements would have been deemed to be their ‘usual residence’.
- Students – who were disrupted and learning online for a large proportion of time up to and including March 2021 at the time of the Census.

4.21. The report goes on to note that whilst there has been a general, expected slowdown in population growth, the country has not been building more homes than are needed. As an example, household formation has been artificially low, likely suppressed by unaffordability matters.

4.22. Taylor Wimpey considers a larger contribution, especially on sites adjacent to existing allocations such as this Site north of Blackhalve Lane, would have benefits in reducing the likely shortfall within the GBBCHMA such as improving affordability and choice and providing a more reliable source of supply.

### **Economic Uplift and Housing Figures**

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<sup>1</sup> Census 2021: What Does it Mean for Housing? Quod for LPDF, October 2022

- 4.23. The South Staffordshire Housing Market Assessment 2021 (HMA) sets out the broad economic consequences of the projected growth in Chapter 5. However, the HMA fails to consider the impact of committed development at the HS2 West Midlands Interchange ('WMI'), which is projected to create around 8,500 new jobs and up to 8,100 indirect jobs off-site, well in excess of the increase in the working age population between 2018 and 2038 identified by the HMA (6,618 people). The updated HMA 2022 also does not consider the impact of the committed WMI. In addition, both the 2021 and updated 2022 HMA do not consider that significant job growth will be provided through committed strategic employment developments planned at i54 and ROF Featherstone.
- 4.24. The Economic Development Needs Assessment 2020–2040 (June 2022) (EDNA), prepared by DLP Planning on behalf of South Staffordshire District Council, sought to identify future employment needs across the South Staffordshire area for the period 2020–2040. The EDNA outlines that the approved WMI has the potential to employ 16,600 both on and off site.
- 4.25. The EDNA also identifies the i54 development as a key 'employment corridor' and at paragraph 4.22 states that the facility *'could lead to a profound effect on the local and sub-regional property market as demand for engineering/manufacturing space increases'*.
- 4.26. The updated HMA at paragraph 5.10 identifies that the projections profiling the change in population indicate that the working age population in South Staffordshire will grow by 6,618 people between 2020 and 2040. This is notably in excess of the growth of 4,824 jobs indicated by the EDNA. The updated HMA at paragraph 5.13 suggests that the housing requirement of 9,089 homes over the Plan period is sufficient to address the projected economic growth for the District. However, as raised above Taylor Wimpey have concerns regarding the proposed housing figures due to the large shortfall of housing across the GBBCHMA, which has been exasperated by the rising instability of the Black Country.

#### **Longer Term Growth Aspirations for a new settlement- Policy DS6**

- 4.27. Policy DS6 sets out an aspiration for SSDC to deliver a new settlement beyond the plan period. A broad location comprising the transport corridor formed by the A449 and West Coast Mainline between Wolverhampton and Stafford has been identified as a potential area of search for such proposals.



4.28. Taylor Wimpey made representations to the Preferred Options Plan and has no comment to make in respect of Policy DS6, other than to agree that such an option would not contribute to housing growth during the proposed plan period to 2039.

## 5. Site Allocations

- 5.1. Taylor Wimpey supports the identification of strategic housing allocations at Land North of Linthouse Lane (ref: SA3) (and at Cross Green (ref: SA2)).
- 5.2. Taylor Wimpey also supports the inclusion of site-specific policies to establish a vision for each site, alongside a requirement for a detailed masterplan and design code.
- 5.3. In the context of Land North of Linthouse Lane, the Publication Plan identifies the site provides the opportunity to deliver a minimum of 1,200 homes over the Plan Period. The Strategic Masterplanning Location Proforma for Linthouse Lane (found at Appendix B of the Publication Plan) identifies the site has a minimum capacity of 1,976. Taylor Wimpey concurs with this minimum requirement for delivery within the Plan period but considers that the total number of homes would need to reduce (to c 1,750 homes) with the inclusion of the on-site sports pitches.
- 5.4. Taylor Wimpey welcomes the removal of the requirement for a Supplementary Planning Document for Land North of Linthouse Lane. Such a document would be superfluous given the commitment in the Local Plan to develop a Strategic Master Plan in accordance with Policy MA1.
- 5.5. As noted in the Regulation 18 Representation, Taylor Wimpey supports the inclusion of site-specific policies to establish a vision for each site, alongside a requirement for a detailed masterplan and design code.

### **Housing Allocations- Policy SA5**

- 5.6. Taylor Wimpey supports the allocation of their land interests identified through Policy SA5- Land North of Linthouse Lane (ref: 486c) (and at Cross Green (ref: 646 a&b)).
- 5.7. However, the site north of Blackhalve Lane should also be included as one of the allocations, albeit not a strategic allocation. The site would be added to that section of the policy which represents other sites adjacent to neighbouring towns and centres. It should be identified as having the potential for around 300 dwellings.

5.8. As set out above whilst Taylor Wimpey support for the overall strategy of the Plan, there is concern over the potential lack of safeguarded land as outlined at paragraph 4.5 of this representation. If the Site is not included as an allocation, then, as the GBBCHMA has a large unmet housing need and is likely to be significantly greater than that previously published, the Council should remove it from the Green Belt and allocate it as safeguarded land. The Council is encouraged to provide safeguarded land in the most sustainable locations so as to ensure sustainable housing growth can be achieved during the plan period and that Green Belt boundaries can endure beyond the plan period. This is particularly relevant to the interest that Taylor Wimpey have in Land north of Blackhalve Lane.

## 6. Development Management Policies

### Policy HC1- Housing Mix

- 6.1. Housing mix should be guided by market signals as reflected in the most up to date assessment needs. Such assessments will need to be updated over the course of the Plan period.
- 6.2. The requirement that 70% of properties comprise of 3 bedrooms or less is restrictive and does not afford the flexibility expected by NPPF para 62 in order to meet the need to provide for a range of size, type, and tenure for different groups.
- 6.3. The use of the phrase 'disproportionate' in the penultimate paragraph, when describing the quantum of 4+ bedroom houses, lacks the precision and clarity needed for a Plan policy.
- 6.4. The policy should recognise that needs and demand will vary from area to area and site to site, and recognise that its requirements could be subject to a viability assessment, thus allowing for flexibility in its application.
- 6.5. Clarification should also be made defining 'major' development. It is noted that the Publication Plan has removed footnote 11 from the Issues and Options Plan which defined major development in accordance with the NPPF definition stating major development is "*development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more*". Whilst a definition is contained within the NPPF, the statutory definition is actually contained within the Town and Country Planning Development Management Procedure Order, which defines major development as where:
- (Ci) the number of dwellinghouses to be provided is 10 or more; or*
- (Cii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i)*
- 6.6. The text emphasised above is an important qualifier when considering whether or not a proposal constitutes major development. This qualifying text has not been carried through into the definition contained within the NPPF. Taylor Wimpey suggests a definition of major

development should be reintroduced into the Plan, with the DMPO definition referred to above used for the avoidance of doubt.

- 6.7. In light of the above, the policy is considered unsound, as it is neither justified nor consistent with national policy for the reasons set out above.

### **Policy HC2- Housing Density**

- 6.8. Policy HC2 sets out an aim to achieve a minimum net density of 35 dwellings per net developable hectare in developments 'within or adjoining Tier 1 settlements, in infill locations within the development boundaries of other settlements in the district or in urban extensions to neighbouring towns and cities'.

- 6.9. Taylor Wimpey welcomes the addition to the policy (set out below) which recognises that a blanket approach to density is unlikely to be effective stating:

*'Where it would help to support the delivery of local services and facilities, sites will be encouraged to exceed this minimum density standard where this could be done in a manner consistent with other development plan policies, particularly those relevant to the character of the surrounding area*

*The net density on a site may go below the minimum density standard set above if to do otherwise would result in significant adverse impacts to the surrounding area's historic environment, settlement pattern or landscape character.'*

- 6.10. It is also acknowledged that the Council have updated the wording of Policy HC2 to include a direction for settlements within Tiers 2-5 of the Settlement Hierarchy as suggested within Taylor Wimpey's Regulation 18 Representations.

### **Policy HC3- Affordable Housing**

- 6.11. Policy HC3 requires proposal for major residential development to provide 30% of all dwellings as affordable housing. The use of the term 'major residential development' in this context requires a definition to save confusion as to what size of development affordable housing becomes a requirement, it is presumed to be the same as that within the NPPF



Glossary. The policy also needs to ensure that evidence is provided when considering viability, especially when looking at brownfield sites.

- 6.12. The requirement for 30% affordable housing appears to be supported by the Viability Study Stage 2 Report 2022 (VA) which confirms at paragraph 3.2.7 that the proposed affordable housing figure can be appropriate for South Staffordshire, but it does highlight the challenges in delivering such a requirement and the need for higher site values to be achieved to deliver this across the board.
- 6.13. The NPPF is clear that the derivation of affordable housing policies should take account not only of need but also have regards to viability and deliverability and a differentiated policy approach should be used to the provision of affordable housing, as set out in the Viability Study.
- 6.14. The Council's position to continue with the established approach of using Section 106 planning obligations to secure the necessary infrastructure to support and mitigate the effects of new development is supported.
- 6.15. The requirement to 'pepper pot' affordable housing across the development is generally supported. However, the policy should recognise that for management purposes, Registered Providers do require a degree of clustering of affordable housing within a development and this will inform site layouts.
- 6.16. Taylor Wimpey supports the removal of the suggestion that grant funding for homes to be provided under the requirements of the Policy as requested within the Regulation 18 Representation.
- 6.17. The frequent reference to further guidance being provided by the Affordable Housing SPD is noted. The SPD should do no more than clarify the Local Plan policy and it is suggested that if the requirements for implementing the policy are known to need explanation now then these should either be included within the Plan now or set out within the explanatory text. The SPD is not the appropriate approach for setting new policy and or burdens on delivery, and the Plan should provide clarity at the point of adoption as to what it requires.

#### **Policy HC4- Homes for older people and others with special housing requirements**

- 6.18. Policy HC4 notes major development should:

*'...clearly contributes to meeting the needs of older and disabled people.'*

- 6.19. The above policy wording does not define 'older people', so it is unclear as to exactly who this Policy is targeting or who would be eligible to occupy such dwellings.
- 6.20. It stipulates that all major development will be required to demonstrate how the proposal contributes to meeting the needs of older and disabled people. The Council do not define what ages will be restricted for single storey development and as such, the policy requires clarification on this matter.
- 6.21. Such specialist housing, especially that related to extra care and retirement living, often need a minimum critical mass to be viable (for example, extra care units typically require 60+ bedrooms to be viable) and therefore the Council needs to determine, through evidence the minimum size of site which should be able to viably support the provision of such accommodation.
- 6.22. The policy then needs to provide much greater clarity on when such housing will be required as part of a major development, and to make clear that some housing types may be required on any given site. In relation to the site at Linthouse Lane, Policy SA3 requires 80 units for specialist elderly care housing which Taylor Wimpey is supportive of.
- 6.23. It is further noted that since the preferred options consultation, the plan has moved from expecting 30% all homes to be Building Regulation M4(2) compliant, it now requires 100% of all housing to be M4(2) compliant. This brings with it significant additional issues of affordability, in a context where the access and affordability of housing is an area of wider concern.
- 6.24. The Council's Viability Study, Stage 2 (2022) acknowledges that at present Part M of the Building Regulations requires all dwellings to be built to a minimum of M4(1) with further enhanced requirements to M4(2) and M4(3) required through policy, subject to evidence of need as well as viability.
- 6.25. Currently, the requirement for M4(2) properties is optional within Building Regulations and are described as making "reasonable provision for most people to access the dwelling and incorporate features that make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users". It is recognised that

the older person population is likely to increase over the Plan period, however an ageing population affects the whole country and is not an issue specific to South Staffordshire. If the Government had intended that evidence of an ageing population alone justify adoption of optional standards, then such standards would have been incorporated as mandatory in the Building Regulations, which is not the case.

- 6.26. Furthermore, the HMA identifies a need for 1,783 accessible and adaptable general homes for those over 65 years and 1,235 for those under 65 years, across the Plan period. This equates to less than 30% of the overall housing requirement to be delivered by this Plan. The updated SHMA 2022 at paragraph 8.14 concludes that it is calculated that adapted housing M4(2) will be required for 3,978 households by 2040 in South Staffordshire. It is therefore not clear how the 100% requirement within the Policy has been arrived at or how this is justified.
- 6.27. Having noted the above, it is also noted that the Council's Viability Study 2022 simply refers to a Government consultation<sup>2</sup>.
- 6.28. That consultation was undertaken in 2020 and in July 2022 the Government published their response. This indicates that M4(2) dwellings may indeed become mandatory. This will necessitate a change to Building Regulations and statutory guidance, on which the Government will consult further in due course.
- 6.29. At the present time, the requirement for M4(2) dwellings is not mandatory and if the Council wish to pursue a policy requirement of 100% M4(2) dwellings then this needs to be justified, with reference to both need and cost.
- 6.30. As drafted, Policy HC4 is not sound as it is not justified.

#### **Policy HC8 – Self-build and Custom Housebuilding**

- 6.31. Policy HC8 requires sites for major residential development to "... have regard to the need on the council's self-build register and make provision of self and custom build plots to reflect this".

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<sup>2</sup> [www.gov.uk](https://www.gov.uk): Raising accessibility standards for new homes: summary of consultation responses and government responses (July 2022)

- 6.32. The policy should be clear that in having regard to the Council's self-build register, it is only part 1 of the register which needs to be considered. The policy should also recognise, that delivery of self-build housing on new residential sites, successfully occurs when there is a distinct phasing or grouping of plots, secured for such delivery.
- 6.33. Whilst Taylor Wimpey generally supports the concept of self-build/custom housing, they do not consider provision as part of a larger housing development to be the most appropriate solution because self/custom builders are more likely to want a more bespoke location/setting. Smaller dedicated self/custom sites are therefore a more appropriate answer.
- 6.34. Taylor Wimpey supports the notion that should a proposed custom self-build plot not be sold after 12 months following active marketing, then the developer will be permitted to build out the plan as a standard property type.

#### **Policy HC10- Design Requirements**

- 6.35. The introduction of a new set of requirements to ensure high quality design and the creation of beautiful places in line with Government guidance is supported. However, a number of specific comments are made on the policy as drafted:
- The provision of tree lined streets (item c) should be subject to highway authority agreement, and where appropriate, their adoption. In Taylor Wimpey' experience, local highway authorities do not want trees in immediate proximity of the street due to management concerns or liabilities or introduce additional development costs due to associated commuted sum payments...
  - The point on house types and tenures (item l) is repetition of policy material set out at Policy HC1 and is therefore unnecessary.

#### **Policy HC12- Space About Dwellings and Internal Space**

- 6.36. The continuity of existing external space and dwellings standards is generally supported although there should be a recognition that it may be appropriate for certain house types,

which could include for example Part M4(2) dwellings, to have smaller, more manageable gardens.

6.37. Taylor Wimpey suggests that some flexibility must be allowed in the application of the Nationally Described Space Standards (NDSS) as occasionally non-compliance with NDSS may be appropriate for sound urban design reasons and the Policy should therefore build in some flexibility.

6.38. If the NDSS requirement is to be pursued, then the Council need to provide additional evidence for the Local Plan Examination to demonstrate that the policy is sound. National Planning Guidance Housing: optional technical standards (paragraph O20) clearly state that *“Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:*

- *Need – evidence should be provided in the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- *Viability – the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- *Timing – there may need to be a reasonable transition period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.”*

6.39. It is clear that the introduction of the NDSS requires a Local Plan policy which has been fully evidenced, justified and viability tested. The South Staffordshire Housing Market Assessment Update 2022 (HMA) refers to the NDSS (paragraph 7.32) only in the context of assessing the need for accessible and adaptable homes. The HMA does not provide any justification or evidence for requiring NDSS in the District.



### **Policy HC13 – Parking Standards**

- 6.40. Taylor Wimpey supports the proposed parking standards contained within the Publication Plan.
- 6.41. The proposed limb b, which seeks to reduce on site parking where developments are well served by public transport is highly supported by Taylor Wimpey given this addresses the Council's declared climate emergency.
- 6.42. It is noted that the Council's Viability Assessment includes a cost of only £500 per EVCP. This cost is below the Government's cost estimate and excludes any costs for upgrading local networks. The Department for Transport – Electric Vehicle Charging in Residential & Non-Residential Buildings consultation estimated a cost of £974 per EVCP plus an automatic levy for upgrading networks capped at £3,600. This is not reflected in the Stage 2 Viability Study.

### **Policy HC14– Health Infrastructure**

- 6.43. This policy refers to proposed developments causing 'unacceptable impact' on existing health care facilities but fails to define what level of impact is deemed unacceptable or how that is to be measured. The policy should also acknowledge that not all residents of a development will be new to a catchment area and may indeed already be registered by the local health care provider, thereby not creating a net additional burden.
- 6.44. Careful analysis is required therefore with regard to the capacity of existing infrastructure to accommodate new patients, before reaching a conclusion as to what any CIL Regulation 122 compliant financial request might be. The requirement for CIL Reg compliance of any request should be clearly specified within policy.
- 6.45. Taylor Wimpey considers this policy should provide additional flexibility by recognising on-site provision of health infrastructure may represent a more appropriate solution to meeting health needs.

### **Policy HC15– Education**

- 6.46. Taylor Wimpey broadly supports the policy's objective for the improvement or construction of schools to meet the demand generated by children in new development. However, as currently written, the policy makes a blanket assumption that new education infrastructure will be required from all new development.
- 6.47. The Policy text requires further clarification as any such provision to be delivered by a S106 agreement, must have regard to the tests of CIL Regulation 122. The policy should make this explicit. In this regard, the policy should also recognise new infrastructure will be required from new development, only where it can be demonstrated that existing capacity to accommodate growth does not currently exist.
- 6.48. The policy is considered unsound, as it is neither *justified* nor *consistent with national policy* for the reasons set out above.

#### **Policy HC17- Open Space**

- 6.49. Whilst there is no in principle objection to the requirements of the policy or the provision of open space within developments, some clarifications are required in order to ensure that the Policy is sound.

#### **Policy HC18- Sports facilities and playing pitches**

- 6.50. Policy HC18 is informed by the Playing Pitch and Sport Facilities Assessments produced by KKP in 2020 and is broadly supported.
- 6.51. It is noted that further guidance on the procedure for determining provision required from new development will be set out in an Open Space, Sport, and Recreation SPD. However, the policy requires all new major residential development to contribute towards sports facilities and playing pitches, but no further quantitative details are provided to set out the detail of what will be expected within the Publication Plan.
- 6.52. In addition, Taylor Wimpey consider that it would be more appropriate for SSSC to define standards expected from development as part of policy (as per the open space standard defined by Policy HC17, for example). This approach provides greater certainty in respect of the infrastructure delivery requirements expected from sites, which ultimately impacts upon

their viability. The level of provision expected, and the associated viability implications should be considered within both the Infrastructure Delivery Plan and Viability Assessment.

- 6.53. The requirements of delivering sports facilities and playing pitches through on-site provision or S106 contributions will have a direct impact on the viability of sites and the Council must ensure the delivery of all potential obligations are considered for both on and off-site provision to support the soundness of the Plan at examination.

### **Policy EC3- Inclusive Growth**

- 6.54. The requirement for an Employment and Skills Plan to be prepared for all developments of 100 or more residential dwellings is not supported. Whilst the benefits of such plans are acknowledged, it is considered more appropriate to implement them on a site-by-site basis, dependent on local circumstances and the labour market and such a requirement can be sourced by condition. This is especially important in the context of modern methods of construction inevitably increasing in the coming years, probably sourced from outside South Staffordshire.

- 6.55. It is not clear how any certainty could be provided through such a plan. It should be recognised that the business model employed by Taylor Wimpey and other major housebuilders relies upon subcontract businesses.

- 6.56. Despite this, construction stage opportunities include:

- Taylor Wimpey can deliver a comprehensive employment, training, and skills strategy as part of the construction stage;
- The strategy can include opportunities to engage with schools and colleges; and
- Taylor Wimpey will prioritise the procurement of materials and labour locally where possible

- 6.57. If the Policy is to be found sound it should be amended to incorporate flexibility and allow for Employment and Skills Plans to be requested on a site-by-site basis, where appropriate. In

so doing the relevant criterion for requesting such policies must be clearly defined and set out within the policy in order to ensure the policy is justified.

#### **Policy EC11- Infrastructure**

- 6.58. Policy EC11 commits SSDC to work with and support infrastructure providers and also offer support for the delivery of infrastructure. This is broadly supported, but any assessment of cumulative impact and mitigation requested must be proportionate and CIL Regulation 122 compliant. The policy should be explicit that this is the case.
- 6.59. The Policy should also commit SSDC to actively engage and work with neighbouring authorities where necessary, such as at the proposed allocation of Land North of Linthouse Lane where transport connections fall outside of the SSDC boundary.
- 6.60. Unless amended, the policy is considered unsound, as it is neither justified nor consistent with national policy for the reasons set out above.

#### **Policy NB2- Biodiversity**

- 6.61. Taylor Wimpey are supportive of the need to address net losses to Biodiversity, through the provision of enhancement to deliver and overall net gain. The Council's policy requirement to deliver 10% Biodiversity Net Gain, reflects that of the Environment Act and is not objected to. Indeed, it reflects one of the core principles of the NPPF to conserve and enhance the natural environment.
- 6.62. In delivering net gain, however, the policy needs to provide as much flexibility as possible. The key test of policy is whether the 10% BNG is being delivered, not necessarily the specific method by which it is delivered. It is important that the way in which these 'net gains' are calculated is given careful consideration and that a pragmatic view is taken in terms of biodiversity enhancements, where there are clear landscape and habitat improvements, rather than being wholly reliant on the output of rigid calculator, in particular where this would impede the delivery of much needed housing.

#### **Policy NB4- Landscape Character**

6.63. Policy NB4, would benefit from an amendment in the text, which reflects the comments made on Policy NB2 above. As drafted, the second paragraph states:

*"All trees, woodland, and hedgerows should be protected and retained"*

6.64. Whilst it is appreciated that the following sentence identified that should a loss be required, appropriate mitigation measure must be delivered by the developer, the above sentence should be amended to the following:

6.65. "All trees, woodland and hedgerows should be protected and retained wherever possible"

#### **Policy NB6– Sustainable Construction**

6.66. Given that the Environment Act 2021 has recently been made into law, it needs to be made clear that this policy reflects the Act and its purpose and that it repeats the laws written within it.

6.67. Concern is raised with some of the technical detail raised in Policy NB6. Clause 3 regarding embodied carbon, includes the statement:

6.68. 'Developers must ensure that a recognised monitoring regime is put in place to allow the assessment of energy use, indoor air quality, and overheating risk for 10% of the proposed dwellings (of the council's choosing) for the first five years of their occupancy and ensure that the information recovered is provided to the applicable occupiers and the planning authority.'

6.69. In reference to the above clause there is no evidence to suggest that the Council have considered or addressed the Data Protection implications of this requirement, its effect on 'mortgage-ability', or indeed its effect on sales values. Presumably properties which are wired to share private individual's lifestyle data, would be less attractive in the marketplace, and that would be reflected in reduced sales values. This element of the possible is not practical to be delivered in the form proposed, and is therefore considered unsound, on the grounds of being neither justified nor consistent with national policy for the reasons set out above. The Policy should therefore contain wording that that they will be reviewed to account for future changes to Government legislation, policy, guidance, and regulation changes

- 6.70. Whilst Taylor Wimpey supports the government’s proposal to achieve ‘Zero Carbon Ready’ homes by 2025, this will be achieved through application of low carbon heating and hot water technology and highly insulated fabric building elements i.e., walls/floor/roofs which will in turn reduce the energy demand for the home. The decarbonisation of the electricity grid will only improve the carbon reduction of a proposed development over time. Until many of the emerging national standards are fixed, the industry will be unable to confirm how it will deliver further carbon reduction over Building Regulations. In view of these uncertainties the proposed policy should be flexible enough to allow developers to utilise the most appropriate technology available at that time. The Government’s approach “remains technology-neutral and designers will retain the flexibility they need to use the materials and technologies that suit the circumstances of a site and their business”. (MHCLG Summary Response to the FHS (2019 Consultation Changes to Part L and F). On the basis of this the policy should be amended to introduce much greater flexibility and recognition of the emerging approach to this dynamic sector the construction industry.
- 6.71. In addition whilst the Government’s response to the FHS (2019 Consultation Changes to Part L and F) states that local planning authorities will retain powers to set local energy efficiency standards for new homes, it also states “as we move to ever higher levels of energy efficiency standards for new homes with the 2021 Part L uplift and Future Homes Standard, it is less likely that local authorities will need to set local energy efficiency standards in order to achieve our shared net zero goal”. (MHCLG Summary Response to the FHS (2019 Consultation Changes to Part L and F). The Government’s proposals set out in both part 1 of its Future Home Standards Consultation has set a target for homes to be ‘zero carbon ready’ from 2025 rather than necessarily achieving ‘zero carbon’ from 2025.
- 6.72. The Policy should also contain a viability exception clause and avoid a simple pass or fail test to ensure they do not prejudice the future delivery of sustainable development.
- 6.73. Taylor Wimpey recognises the importance of reducing embodied carbon within the development process. However, Embodied carbon emissions are unregulated in the UK. Current policy and regulation focus solely on operational energy use, as distinct from embodied carbon. There currently does not exist a nationally approved regulator or national recognised standard, national planning policy or building regulation requirement to assess and report embodied carbon emissions or whole life cycle carbon assessments.



- 6.74. The costs of introducing the proposed policy requirements must be included within the Plan viability assessment and viability assessment of strategic sites. This should include the cost of network upgrades to support technologies. Where a viability assessment is submitted to accompany a planning application, this should be based upon and refer back to the viability assessment that informed the plan, with evidence of what has changed since then.
- 6.75. Whilst Taylor Wimpey support responding to climate change and reducing carbon emissions, the proposed policy is ambiguous, its specific requirements unjustified and it has not been subject to either viability testing nor assessment whether the technology is available to deliver it.

## 7. Sustainability Appraisal

7.1. The Publication Plan is supported by a Sustainability Appraisal ('the SA'), prepared by Lepus Consulting<sup>3</sup>. The purpose of the SA is stated as being to appraise the sustainability performance of all potential site allocations for development. The potential sites are assessed in relation to each of the stated objectives in the SA Framework as follows:

- **SA Objective 1. Climate change mitigation:** Minimise the Plan area's contribution to climate change.
- **SA Objective 2. Climate change adaptation:** Plan for the anticipated impacts of climate change.
- **SA Objective 3. Biodiversity and geodiversity:** Protect, enhance, and manage the flora, fauna, biodiversity, and geodiversity assets of the district.
- **SA Objective 4. Landscape and townscape:** Conserve, enhance and manage the character and appearance of the landscape and townscape, maintaining and strengthening their distinctiveness.
- **SA Objective 5. Pollution and waste:** Reduce waste generation, increase the reuse of, and recycling of, materials whilst minimizing the extent and impacts of water, air, and noise pollution.
- **SA Objective 6. Natural resources:** Protect, enhance, and ensure the efficient use of the district's land, soils, and water.
- **SA Objective 7. Housing:** Provide a range of housing to meet the needs of the community.

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<sup>3</sup> Sustainability Appraisal of the South Staffordshire Local Plan Review – Regulation 19 SA Report Volume 1 to 3, October 2022

- **SA Objective 8. Health and wellbeing:** Safeguard and improve the physical and mental health of residents.
- **SA Objective 9. Cultural heritage:** Conserve, enhance and manage sites, features, and areas of historic and cultural importance.
- **SA Objective 10. Transport and accessibility:** Improve the efficiency of transport networks by increasing the proportion of travel by sustainable modes and by promoting policies which reduce the need to travel.
- **SA Objective 11. Education:** Improve education, skills, and qualifications in the district. Raise educational attainment and develop and maintain a skilled workforce to support long-term competitiveness.
- **SA Objective 12. Economy and employment:** To support a strong, diverse, vibrant, and sustainable local economy to foster balanced economic growth.
- **SA Objective 13. Equality:** Reduce poverty, crime and social deprivation and secure economic inclusion.

7.2. The SA also appraises the draft development management policies and their likely outcomes.

7.3. The significance of effects is scored as follows:

| Significance                 | Definition (Not Necessarily Exhaustive)   |
|------------------------------|---|
| <p>Major Negative<br/>--</p> | <p>The size, nature and location of a development proposal would be likely to:</p> <ul style="list-style-type: none"> <li>• Permanently degrade, diminish, or destroy the integrity of a quality receptor, such as a feature of international, national, or regional importance;</li> <li>• Cause a very high-quality receptor to be permanently diminished;</li> <li>• Be unable to be entirely mitigated;</li> <li>• Be discordant with the existing setting; and/or</li> </ul> |

|                      |  |
|----------------------|--|
| •                    | <ul style="list-style-type: none"> <li>Contribute to a cumulative significant effect.</li> </ul>   |
| Minor Negative<br>-  | <p>The size, nature and location of development proposals would be likely to:</p> <ul style="list-style-type: none"> <li>Not quite fit into the existing location or with existing receptor qualities; and/or</li> <li>Affect undesignated yet recognised local receptors.</li> </ul>  |
| Negligible<br>0      | <p>Either no impacts are anticipated, or any impacts are anticipated to be negligible</p>  |
| Uncertain<br>+/-     | <p>It is entirely uncertain whether impacts would be positive or adverse</p>   |
| Minor Positive<br>+  | <p>The size, nature and location of a development proposal would be likely to:</p> <ul style="list-style-type: none"> <li>Improve undesignated yet recognised receptor qualities at the local scale;</li> <li>Fit into, or with, the existing location and existing receptor qualities; and/or</li> <li>Enable the restoration of valued characteristic features.</li> </ul>   |
| Major Positive<br>++ | <p>The size, nature and location of a development proposal would be likely to:</p> <ul style="list-style-type: none"> <li>Enhance and redefine the location in a positive manner, making a contribution at a national or international scale;</li> <li>Restore valued receptors which were degraded through previous uses; and/or</li> <li>Improve one or more key elements/features/characteristics of a receptor with recognised quality such as a specific international, national, or regional designation.</li> </ul> |

**Table 7.1 Guide to scoring significance of effects**

7.4. The SA represents an update to previous iterations of the SA which have supported previous consultation versions of the LPR.

## Land North of Blackhalve Lane: Site Ref: 486a/b

7.5. Land at Blackhalve Lane is assessed within the Updated 2022 SA as 'Land North of Linthouse Lane', under site reference 486 a/b. It is worth highlighting that this representation is made for site 486b however a separate SA assessment has not been undertaken for this site individually. This includes an assessment of the nature and magnitude of the impact of development pre- and post-mitigation. These assessments are reproduced in Figures 7.1 and 7.2 below.

| Site Reference | 1                         | 2                         | 3                           | 4                     | 5                 | 6                 | 7       | 8                  | 9                 | 10                        | 11        | 12                   |
|----------------|---------------------------|---------------------------|-----------------------------|-----------------------|-------------------|-------------------|---------|--------------------|-------------------|---------------------------|-----------|----------------------|
|                | Climate Change Mitigation | Climate Change Adaptation | Biodiversity & Geodiversity | Landscape & Townscape | Pollution & Waste | Natural Resources | Housing | Health & Wellbeing | Cultural Heritage | Transport & Accessibility | Education | Economy & Employment |
| 486a/b         | +/-                       | --                        | -                           | --                    | -                 | -                 | +       | -                  | -                 | -                         | --        | +                    |

**Figure 7.1 Significance of effects pre-mitigation**

| Site Reference | 1                         | 2                         | 3                           | 4                     | 5                 | 6                 | 7       | 8                  | 9                 | 10                        | 11        | 12                   |
|----------------|---------------------------|---------------------------|-----------------------------|-----------------------|-------------------|-------------------|---------|--------------------|-------------------|---------------------------|-----------|----------------------|
|                | Climate Change Mitigation | Climate Change Adaptation | Biodiversity & Geodiversity | Landscape & Townscape | Pollution & Waste | Natural Resources | Housing | Health & Wellbeing | Cultural Heritage | Transport & Accessibility | Education | Economy & Employment |
| 486a/b         | +/-                       | +                         | 0                           | --                    | -                 | -                 | +       | -                  | 0                 | -                         | --        | +                    |

**Figure 7.2 Significance of effects post-mitigation**

7.6. Taylor Wimpey supports the above scoring overall but disputes the finding that developing the site would result in a Major Negative impact upon landscape and townscape. The SA (2022) sets out that the site lies within an area assessed of 'low-moderate' landscape sensitivity and is considered to result in a 'high' level of harm to the purposes of the Green Belt. In respect of other aspects, the sites were only found to have 'low-moderate' landscape sensitivity or a 'negligible' impact on landscape character and cultural heritage. The finding that the site would have a Major Negative impact upon landscape and townscape accordingly appears to be based upon the finding that the site would result in a 'high' level of harm to the Green Belt. Not only is this considered inaccurate regarding the summary of Green Belt

impact, but it also implies that the consideration of Green Belt impact carries significantly greater weight than other landscape considerations in the overall assessment of impact upon Landscape and Townscape.

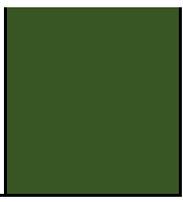
7.7. The Blackhalve Lane site is also identified as having a major negative impact on Education. However, this approach fails to recognise that Long Knowle Primary School within the City of Wolverhampton is within 550m of the Site. Brookberry Primary school is a similar distance away. In addition, the draft allocation North of Linthouse Lane will provide a new primary school. This would be even closer to the Blackhalve Lane site. On this basis it is not understood why the site has been scored negatively for education.

7.8. The Green Belt Study shows the Site as falling within two Green Belt Sub-Parcels reference: S20Fs1 – ‘Ashmore Park/Essington’. The first sub-parcel which is identified as making the following contribution to the five purposes of the Green Belt:

| GB Purpose   | Assessment   | Rating                 |
|--|--|------------------------|
| P1: Checking the unrestricted sprawl of large built-up areas     | Land is adjacent or close to the large built-up area, contains no or very limited urban development, and has strong openness. It retains a relatively strong relationship with the wider countryside.  | Strong                 |
| P2: Preventing the merging of neighbouring towns                 | Land lies between Wolverhampton (West Midlands conurbation) and Cheslyn Hay (Cannock built up area). The M6 and M54 motorways contribute to perceived separation, however the extent of intervening inset development acts to reduce the perceived open countryside gap. | Moderate               |
| P3: Safeguarding the countryside from encroachment               | Land contains the characteristics of open countryside (i.e., an absence of built or otherwise urbanising uses in Green Belt terms) and does not have a stronger relationship with the urban area than with the wider countryside.  | Strong                 |
| P4: Preserve the setting and special character of historic towns | Land does not contribute to the setting or special character of a historic town  | Weak / No contribution |
| P5: Assist urban   | All parcels are considered to make an equal  | Strong                 |

regeneration, by encouraging recycling of derelict and other urban land

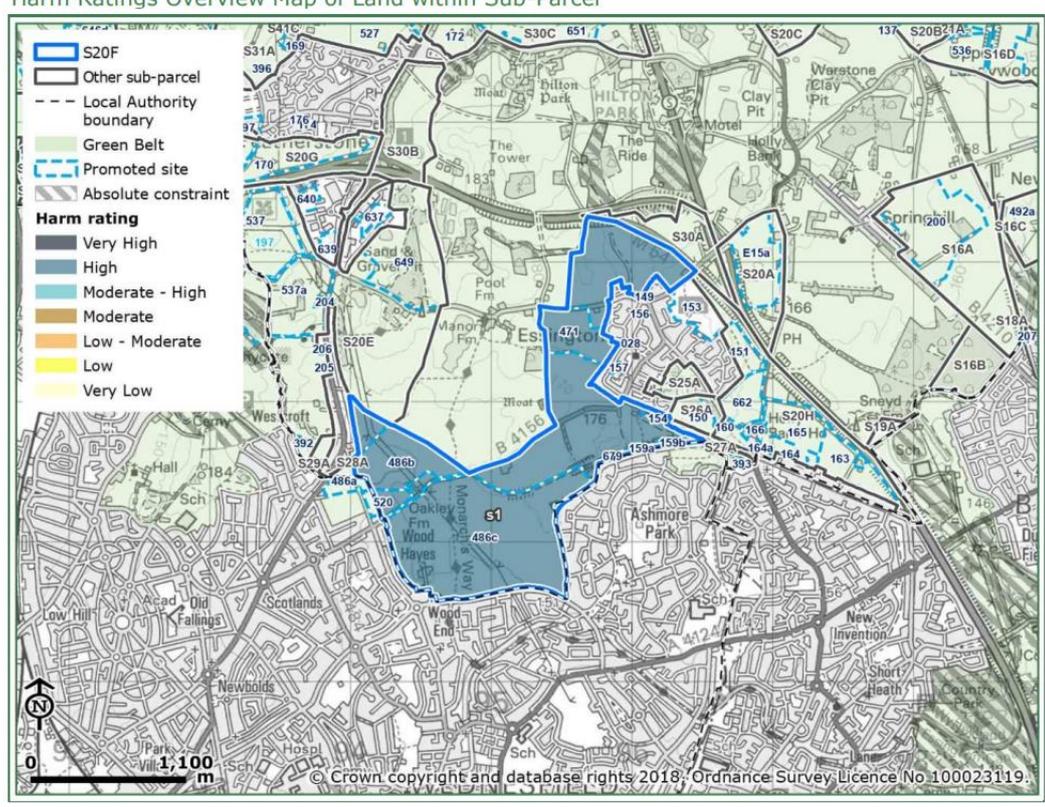
contribution to this purpose.



**Table 7.2: Land Parcel S20Fs1 Contribution Towards Green Belt Purposes**

7.9. However, it should be stressed that parcel S20Fs1 contains a wider extent of land than just Land at Linthouse Lane; the parcel also includes tracts of land to the northeast, up to and including land adjacent to Essington, as illustrated below.

**Harm Ratings Overview Map of Land within Sub-Parcel**



**Figure 7.3: Green Belt Harm Rating for Sub-Parcel Ref: S20F (South Staffordshire Green Belt Study July 2019)**

7.10. In this regard, it is contended by Taylor Wimpey that Land at Blackhalve Lane has a reduced importance against purposes 1 and 3 of the Green Belt; checking the unrestricted sprawl of large built-up areas and Safeguarding the countryside from encroachment.

7.11. Regarding these purposes, the Site is adjacent the built-up area and, contrary to the wider Green Belt parcel, has strong urbanising influences by virtue of this relationship. The development of the Site would not extend further into the countryside than the existing built extent of Wolverhampton (defined by Blackhalve Lane and Kitchen Lane). As such, the

development of the site would not result in the 'sprawl' of the built-up area. Instead, it would serve to 'round off' the urban area in this location. It is therefore contented that the Site only has a 'moderate' contribution to purposes 1 and 3 of the Green Belt.

7.12. Overall, it is considered that these reconsidered assessments would result in a revised Green Belt harm finding of 'moderate' which, in turn, would result in a reduced SA impact score of Minor Negative ('-') for the site in respect of Landscape and Townscape.

7.13. Lastly, in respect of the housing objective, the SA states that:

*"Under this objective, development proposals which would result in an increase of 99 dwellings or less would usually be assessed as having a minor positive impact on the local housing provision. Development proposals which would result in an increase of 100 dwellings or more would be likely to have a major positive impact on the local housing provision."*

7.14. The scale of the site is well in excess of 100 and should accordingly score a Major Positive ('++') score against the housing objective.

## 8. Land North of Blackhalve Lane

- 8.1. Taylor Wimpey has control of land to the north of Blackhalve Lane and to the west of the dismantled railway line, as shown on the Site Location Plan appended to this representation (see **Appendix 1**). This land is not part of a draft allocation.

### **Site Description**

- 8.2. The Blackhalve Lane site is bordered by the former railway line to the east, Blackhalve Lane and the complex of agricultural buildings at Oakley Farm to the south, a field boundary linking the farm buildings with Wood Hayes Road, which forms the western boundary and Old Hampton Lane is to the north. The site would comprise of a natural extension to the existing area of Westcroft and would have strong linkages with the proposed draft allocation site at Land North of Linthouse Lane. In particular it would allow for a revised Green Belt boundary to follow the former railway line which runs from Hilton Industrial Area to Ashmore Park.
- 8.3. The site has previously been promoted on behalf of Taylor Wimpey as part of the overall Land North of Linthouse Lane. Whilst the majority of the land north of Linthouse Lane is now proposed for allocation in the Regulation 19 Publication Plan, the land north of Blackhalve Lane has not.

### **Green Belt and Safeguarding Land**

- 8.4. The creation of strong, defensible Green Belt boundaries is vitally important in protecting the countryside from encroachment. The utilisation of the former railway provides the opportunity to provide a clear and robust Green Belt boundary which will endure into the long term. Both the NPPF and the PPG identify that Green Belt boundaries should be permanent and endure beyond the Local Plan period. In particular paragraph 143 of the NPPF indicates that, when defining Green Belt boundaries Local Plans should, where necessary, identify areas of safeguarded land between the urban area and the Green Belt in order to meet longer term development needs. If the Council do not conclude that land at Blackhalve Lane is suitable for a housing allocation in the current Local Plan, it represents the opportunity to provide additional safeguarded land able to meet longer term needs. Removing the site

from the Green Belt and utilising the former railway as the Green Belt boundary will provide a strong and defensible approach to the Green Belt, lasting into the longer term.

### **Landscape Sensitivity**

- 8.5. South Staffordshire District Council's landscape study (2019) identified the wider area, incorporating both the Linthouse Lane and Blackhalve Lane sites, as having 'moderate' sensitivity in landscape terms.
- 8.6. The landscape character and context of the Blackhalve Lane site has been assessed by the Environmental Dimension Partnership (EDP). This assessment identifies that the site is made up of field parcels of irregular shape and scale, predominantly of pasture farming with arable farming further to the east. Field boundaries are defined by mature hedgerow and robust hedgerow trees, which gives this site an enclosed character and limits available views from the site to the wider landscape. It also notes that the extent of the land parcel is contained by the dismantled railway line which delineates its eastern boundary along with the built form of Old Hampton Lane, Wood Hayes Road and Cannock Road to the west. The site north of Blackhalve Lane is considered to have medium landscape value and susceptibility, i.e. it contains some distinctive landscape characteristics with few landscape distractors, is in fair condition and available to accommodate some change. The Landscape Assessment concludes that whilst land north of Blackhalve Lane makes a greater contribution to ensuring urban sprawl is checked than land to the south, given its location south-east of the disused railway, it still has the potential to accommodate some built form and maintain the overall restriction of urban sprawl.
- 8.7. There also represents opportunities to incorporate a landscape mitigation strategy which would address more detailed considerations. These would be developed in conjunction with the allocation of Land North of Linthouse Lane. It could include the following items:
- Setback of development envelopes away from more elevated areas of the site.
  - Utilise and enhance the well-vegetated dismantled railway line as a new Green Belt boundary.
  - Provide a central linear open spaces linking both sides and incorporating elements such as the existing power lines and watercourse.

- Address longer distance views from the more elevated ground to the north providing space for additional planting.

8.8. In view of the above circumstances it has been demonstrated that the Site can accommodate residential-led development without causing harm to the landscape character and visual amenity of the site, surrounding countryside and footpath network.

#### **Impact on the Historic Environment**

8.9. The scheduled monument of Moat Farm is located approximately 160 metres from the main Linthouse Lane allocation. However, it is located a substantial distance to the east of the land to the north of Blackhalve Lane. On the basis of the distances involved it is not considered that development at the Blackhalve Lane site will have any adverse impact on the setting of the scheduled ancient monument.

8.10. There are no listed buildings or other designated heritage assets in close proximity to the site.

8.11. The archaeological potential of the Site has been assessed as being low. Should any below ground archaeological remains survive, it is highly unlikely that there would be a requirement to preserve it in situ and therefore constrain development of the Site.

#### **Surface Water Flooding**

8.12. The site lies within Flood Zone 1, the area at least risk from flooding. Surface water drainage can be accommodated on-site through a series of attenuation basins and SuDS features. This could be developed in further detail in conjunction with a masterplan for the Site.

#### **Highways (Accessibility to the Site)**

8.13. The site forms part of a potential extension to the Westcroft area. A range of facilities are located within close proximity of the Site including shopping, medical services and education facilities.

8.14. Access can be achieved to the site directly off Blackhalve Lane.

- 8.15. The Monarch Public Right of Way 'dog legs' around the site utilising the former dismantled railway. The site has a potential to introduce more direct routes for recreation which would be of benefit to the wider area.
- 8.16. In the longer term a Transport Assessment can be completed to assess impact across the wider network including traffic impact, safety issues and the ability for residents to travel using sustainable modes. A suitable mitigation package can be provided as part of the development proposals including any necessary off-site highway works.

#### **Impact on Natural Environment**

- 8.17. Technical work has been undertaken by the Environmental Dimension Partnership (EDP) to guide the previous proposals having regard to ecological sensitivities at the Site. This includes identifying opportunities and constraints which may influence development.
- 8.18. The Site is not covered by any statutory or non-statutory designations. The nearest sensitivity sites to the site are the Ashmore Lodge Biodiversity Alert Site (BAS) and Oakley Farm Potential Site of Importance (PSI). Surveys have been undertaken of the Oakley Farm site which concluded that there were no habitats of importance with the grassland and hedgerows being species poor. The Ashmore Lodge site comprises of the dismantled railway. It is recommended this feature was retained and enhanced and to secure a wildlife corridor through the wider allocation.

#### **Impact on Environmental Quality**

- 8.19. As an agricultural site it is unlikely to have significant issues relative to contamination. The surrounding area of the site is not considered to be constrained in regard to air quality and noise. Landscaping can be incorporated within the development and any new buildings can be carefully orientated to minimise noise impact and preserve residential amenity.

#### **Suitability**

- 8.20. Information set out above demonstrates that the site is suitable for new housing development. Even if the site was not allocated for housing now, it would still remain appropriate for the site to be removed from the Green Belt and safeguarded for potential longer term requirements.



### **Deliverability**

- 8.21. There is an agreement in place between the landowner and Taylor Wimpey to facilitate the development of the Site. Significant amounts of technical work have been undertaken to demonstrate that the site of Blackhalve Lane is suitable for development and in particular should be removed from the Green Belt.
- 8.22. There are no existing uses on the Site that require relocation and there would be no issues of contamination. The site is not heavily constrained and any items such as electricity pylons can be accommodated within a sensitive development design.
- 8.23. The Site is deliverable and immediately available and subject to allocation and removal from the Green Belt could start to deliver homes and associated community benefits within the next 5 years. Taylor Wimpey would however support the Council should they identify the site as safeguarded land for future development.



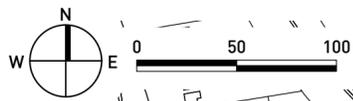
## 9. Conclusion

- 9.1. This representation is made by Pegasus Group on behalf of Taylor Wimpey UK Ltd to the South Staffordshire Local Plan Review, Publication Plan (Regulation 19). This representation relates to Land North of Blackhalve Lane, which Taylor Wimpey is promoting for residential-led development and removal from the Green Belt.
- 9.2. Taylor Wimpey is supportive of the Local Plan Review undertaking but has made specific comments on key matters associated with the Local Plan Review. These include on the amount of land identified for housing, Green Belt land release and safeguarded land, on some development management policies, and, on site specific matters associated with the Council's consideration and evidence base on the Land North of Blackhalve Lane.
- 9.3. Taylor Wimpey considers that their land interests at Land North of Blackhalve Lane are suitable and deliverable for residential development, subject to release from the Green Belt and that the Site could deliver development to meet the identified housing needs within the Plan period, or even beyond as safeguarded land.

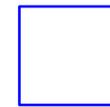


# Appendix 1

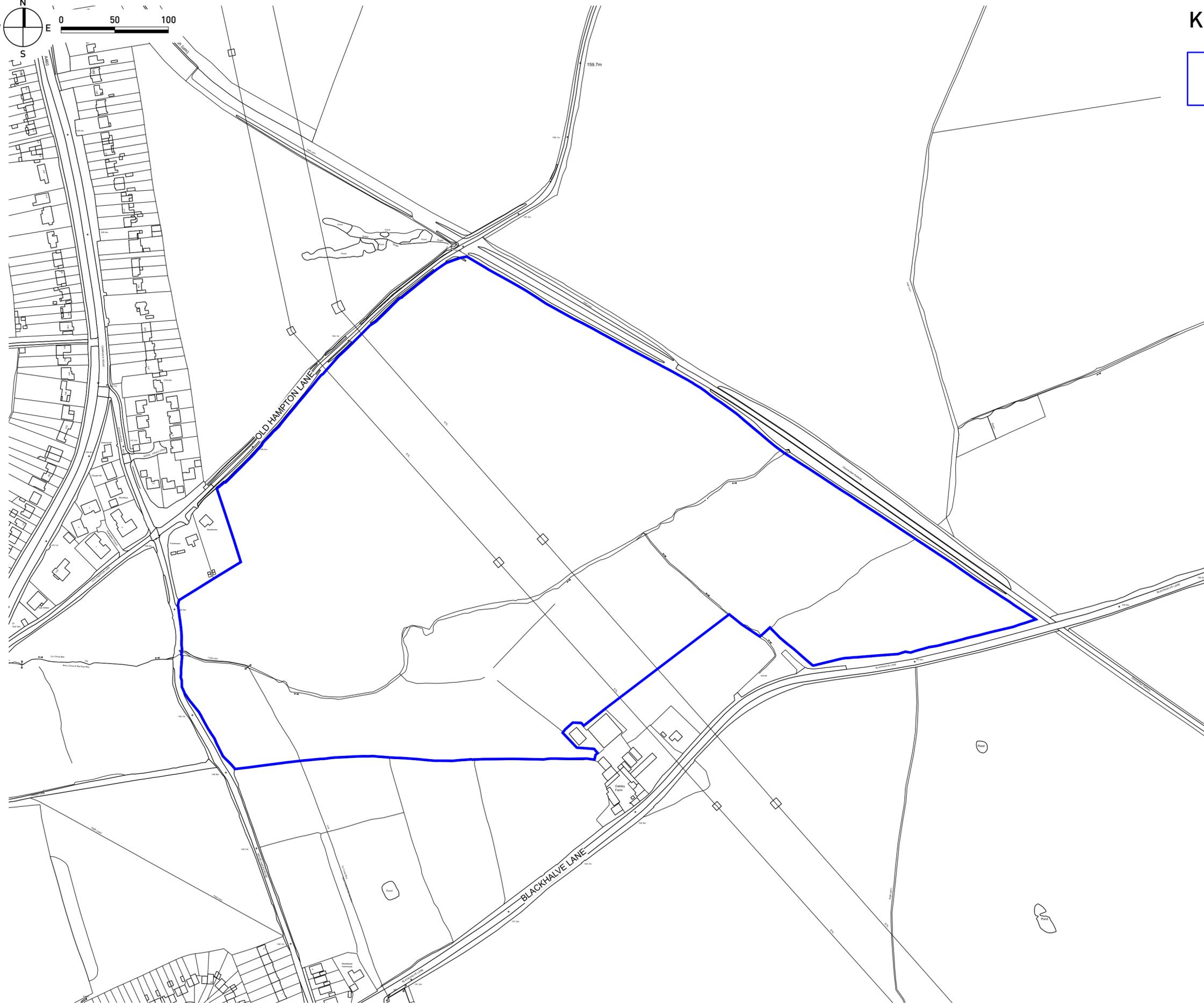
Site Location Plan



### KEY



LAND NORTH OF  
BLACKHALVE LANE, WOLVERHAMPTON  
21.12 HECTARES  
52.19 ACRES



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## LAND OFF LINTHOUSE LANE, WOLVERHAMPTON - SITE LOCATION PLAN (LAND NORTH OF BLACKHALVE LANE)

Town & Country Planning Act 1990 (as amended)

Planning and Compulsory Purchase Act 2004

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